



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2291

DATE SCANNED 11/2/11

SCANNER NO. 2

SCAN OPERATOR EE5

11092672888



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 31, 2011

MEMORANDUM

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR

FROM: PATRICIA CARMONA *PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *JW* JODI WINSHIP/SARI PICKERALL *SP*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 30 DAY
POST-GENERAL REPORT (AUTHORIZED COMMITTEES) FOR
THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file or timely file the 2010 30 Day Post-General Report in accordance with 2 U.S.C. 434(a). The list is comprised of authorized committees whose candidates sought election in the November 2nd General Election.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days after the due date, or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

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Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission
Reason to Believe Circulation Report

2010 POST-GENERAL Not Election Sensitive 12/02/2010 AUTH (CA, FL, GA, KY, MA, NC, NY, OH, PA, TX, VT)

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2284	C00483495	BOB TURNER FOR CONGRESS	TURNER, ROBERT L.	KEVIN P. TURNER	\$753,762	0	1/13/2011	Not Filed	\$86,572	\$3,850
2285	C00473686	BRYAN UNDERWOOD FOR CONGRESS	UNDERWOOD, BRYAN KEITH	BRADLEY DAX UNDERWOOD	\$294,311	0	12/13/2010	11	\$83,253	\$1,650
2286	C00326066	CIRO RODRIGUEZ FOR CONGRESS	RODRIGUEZ, CIRO D.	LUIS R. VERA	\$2,959,474	0		Not Filed	\$328,830 (est)	\$8,800
2287	C00486802	CITIZENS FOR JOHN HAGER	HAGER, JOHN VICTOR	ANDREW A. HAGER	\$195,293	0		Not Filed	\$97,947 (est)	\$3,850
2288	C00488536	COMMITTEE TO ELECT MARYANNE LEWIS	LEWIS, MARYANNE	WENDI NELSON	\$163,900	0	1/30/2011	Not Filed	\$53,470	\$2,970
2289	C00462829	COMMITTEE TO ELECT RODERICK VEEEN FOR CONGRESS	VEEEN, RODERICK D.	CHUCK MOGBO	\$193,104	1		Not Filed	\$32,184 (est)	\$1,237

2291	C00483289	HEALY FOR NY	HEALY, TIMOTHY J.	JULIAN H. GINGOLD	\$198,517	0		Not Filed	\$66,172 (est)	\$2,970
2292	C00467043	JEFF DOCTOR FOR CONGRESS	DOCTOR, JEFFREY JAMES	SHARI-ELLEN GOLDSTEIN	\$195,817	0		Not Filed	\$32,636 (est)	\$990
2293	C00459909	JOHN WALTZ FOR CONGRESS COMMITTEE	WALTZ, JOHN WILLIAM	JANIE ELIZABETH WALTZ	\$843,093	0	1/29/2011	Not Filed	\$103,095	\$4,950
2294	C00472597	LEN BRITTON FOR VERMONT	BRITTON, LEONARD WHEELER	CHARLES TAYLOR	\$463,831	0	12/9/2010	7	\$119,477	\$1,535

2296	C00477141	ONEILL FOR CONGRESS 2010	O'NEILL, WILLIAM MICHAEL	JAMES MUELLER	\$278,142	0	12/10/2010	8	\$26,192	\$360
2297	C00411991	PATRICK MURPHY FOR CONGRESS	MURPHY, PATRICK J.	LINDSAY F. ANGERHOLZER	\$8,537,802	0	1/25/2011	Not Filed	\$1,553,296	\$12,000
2298	C00464347	TIM ALLISON FOR CONGRESS	ALLISON, TIMOTHY JAMES	SUSAN HERRERA	\$341,248	0	12/8/2010	6	\$56,781	\$825
2299	C00465336	TOM WESLEY FOR US CONGRESS	WESLEY, TOM	PAUL M. YANOVITCH	\$209,658	0		Not Filed	\$29,951 (est)	\$888

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Reason To Believe Recommendation - 2010)
 30 Day Post-General Report (Authorized)
 Committees) for the Administrative Fine)
 Program:)

BRYAN UNDERWOOD FOR) AF# 2285
 CONGRESS, and BRADLEY DAX)
 UNDERWOOD as treasurer;)
 O'NEILL FOR CONGRESS 2010, and) AF# 2296
 JAMES MUELLER as treasurer;)
 LEN BRITTON FOR VERMONT, and) AF# 2294
 CHARLES TAYLOR as treasurer;)
 TIM ALLISON FOR CONGRESS, and) AF# 2298
 SUSAN HERRERA as treasurer;)
 BOB TURNER FOR CONGRESS, and) AF# 2284
 KEVIN P TURNER as treasurer;)
 CIRO RODRIGUEZ FOR CONGRESS,) AF# 2286
 and VERA, LUIS R. MR. as treasurer;)
 CITIZENS FOR JOHN HAGER, and) AF# 2287
 ANDREW A HAGER as treasurer;)
 COMMITTEE TO ELECT MARYANNE) AF# 2288
 LEWIS, and WENDI NELSON as)
 treasurer;)
 COMMITTEE TO ELECT RODERICK) AF# 2289
 VEREEN FOR CONGRESS, and CHUCK)
 MOGBO as treasurer;)

HEALY FOR NY, and JULIAN H) AF# 2291
 GINGOLD as treasurer;)
 JEFF DOCTOR FOR CONGRESS, and) AF# 2292
 SHARI-ELLEN GOLDSTEIN as treasurer;)
 JOHN WALTZ FOR CONGRESS) AF# 2293
 COMMITTEE, and JANIE ELIZABETH)
 WALTZ as treasurer;)
 PATRICK MURPHY FOR CONGRESS;) AF# 2297
 and ANGERHOLZER, LINDSAY F. as)
 treasurer;)

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TOM WESLEY FOR US CONGRESS, and) AF# 2299
PAUL M YANOVITCH as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on February 02, 2011 the Commission took the following actions on the Reason To Believe Recommendation - 2010 30 Day Post-General Report (Authorized Committees) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated January 31, 2011, on the following committees:

AF#2285 Decided by a vote of 6-0 to: (1) find reason to believe that BRYAN UNDERWOOD FOR CONGRESS, and BRADLEY DAX UNDERWOOD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2296 Decided by a vote of 6-0 to: (1) find reason to believe that O'NEILL FOR CONGRESS 2010, and JAMES MUELLER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2294 Decided by a vote of 6-0 to: (1) find reason to believe that LEN BRITTON FOR VERMONT, and CHARLES TAYLOR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly,

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Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2298 Decided by a vote of 6-0 to: (1) find reason to believe that TIM ALLISON FOR CONGRESS, and SUSAN HERRERA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2284 Decided by a vote of 6-0 to: (1) find reason to believe that BOB TURNER FOR CONGRESS, and KEVIN P TURNER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2286 Decided by a vote of 6-0 to: (1) find reason to believe that CIRO RODRIGUEZ FOR CONGRESS, and VERA, LUIS R. MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2287 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS FOR JOHN HAGER, and ANDREW A HAGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2288 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT MARYANNE LEWIS, and WENDI NELSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2289 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT RODERICK VEREEN FOR CONGRESS, and CHUCK MOGBO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2291 Decided by a vote of 6-0 to: (1) find reason to believe that HEALY FOR NY, and JULIAN H GINGOLD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2292 Decided by a vote of 6-0 to: (1) find reason to believe that JEFF DOCTOR FOR CONGRESS, and SHARI-ELLEN GOLDSTEIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2293 Decided by a vote of 6-0 to: (1) find reason to believe that JOHN WALTZ FOR CONGRESS COMMITTEE, and JANIE ELIZABETH WALTZ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2297 Decided by a vote of 6-0 to: (1) find reason to believe that PATRICK MURPHY FOR CONGRESS, and ANGERHOLZER, LINDSAY F. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2299 Decided by a vote of 6-0 to: (1) find reason to believe that TOM WESLEY FOR US CONGRESS, and PAUL M YANOVITCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

February 4, 2011
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

11092672895



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 7, 2011

Julian H. Gingold, in official capacity as Treasurer
Healy for NY
1200 Fifth Avenue
New York, NY 10029

C00483289
AF#: 2291

Dear Mr. Gingold:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 30 Day Post-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled general election for which the candidate sought election. This report, covering the period through November 22, 2010, shall be filed no later than December 2, 2010. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file the report if you have not already done so.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On February 2, 2011, the FEC found that there is reason to believe ("RTB") that Healy for NY and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before December 2, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$2,970. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$2,970 is due within forty (40) days of the finding, or by March 14, 2011, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$66,172
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or March 14, 2011. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Chonse Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Healy for NY and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Cynthia L. Bauerly
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$2,970 for the 2010 Post-General Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by March 14, 2011. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Healy for NY

FEC ID#: C00483289

AF#: 2291

PAYMENT DUE DATE: March 14, 2011

PAYMENT AMOUNT DUE: \$2,970

11092672899

Jill Sugarman
Senior Campaign Analyst
Reports Analysis Division
Federal Election Commission

RECEIVED
2011 MAR 24 AM 8:05
FEC MAIL CENTER

March 7, 2011

Steve Drechsler, Sect.
Healy for NY
Committee ID C00483289
347-326-2269

Re: 2 software suggestions for FEC's Disclose

Dear Ms. Sugarman;

Thank you for helping me with Disclose and our filing requirements. I used the 'Disclose' software for the first time during our campaign committee's filing. After the first learning period the interface really does work to help me input everything that was needed and provides excellent review tools.

There is an addition I think would reduce the number of calls your office gets for help and increase accuracy in compliance. Suggestion: If when a report is filed - the software had a simple prompt screen which would read "Are there any other reports in your efile you have to file?" and perhaps then show the date of the report which has not been filed. This would be two protections that all reports that are ready are in fact filed. On Nov. 26th I selected the green up arrow for the first tab in my report I mistakenly assumed that all reports and numeric data contained in my file would be uploaded.

Then there is the strange Date Format the FEC is using on its confirmation receipts. 'From/through 20100401-20100630' is less intelligible - especially when it is placed in the middle of an email. If we'd see the date format where the month-day- year appear separated by hyphens this would be so helpful. 04-01-2010 - 06-30-2010 is more in keeping with current business conventions. It's not that it is wrong now- it's just that make important data more invisible to me as a filer.

I think that others could be helped by these two small software additions to Disclose filing software. For myself, am looking at a 2,970 fine for my ignorance.

Thank you for your help ~~disinformed~~ on the 24th of November and last month as I responded to the FEC fine action.

Regards,
Steve Drechsler

11092672900



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

March 14, 2011

Julian H. Gingold, in his official capacity as Treasurer
Healy for NY
1200 Fifth Avenue
New York, NY 10029

C00483289
AF# 2291

Dear Mr. Gingold:

On March 14, 2011, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") which is being reviewed by OAR. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "Dayna C. Brown".

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

11092672901

**FEC OFFICE OF
ADMIN REVIEW**

2011 MAR 15 P 3 05

Date: March 15, 2011

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 2291

Committee Name: Healy for NY

Committee ID#: C00483289

Committee Address (if different than in RTB letter): N

Treasurer Name (if different than in RTB finding): N

Attachments:

**Copy of RTB Circulation Report, dated January 31, 2011 and RTB
Certification, dated February 2, 2011 (Y/N): N**

Attachment #: N/A

Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y

Attachment #: 1

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2010 General Election Report Prior Notice, dated November 8, 2010.

-RTB Letter, dated February 7, 2011.

Attachment #: 3

Other RAD Information: (Y/N): N

Attachment#: N/A

11092672902



Dear Customer,

Tracking Number: 1Z WF5 860 A2 9087 099 1
Reference Number(s): RAD
Service: NEXT DAY AIR
Special Instructions: ADULT SIGNATURE REQUIRED
Shipped/Billed On: 02/03/2011
Delivered On: 02/08/2011 1:32 P.M.
Delivered To: J GINGOLD
1200 5TH AVE
NEW YORK, NY, US 10029

Signed By: R SANCHEZ

Location: RESIDENTIAL

**Sincerely,
UPS**

Tracking results provided by UPS: 02/09/2011 9:03 A.M. ET

Attachment 1

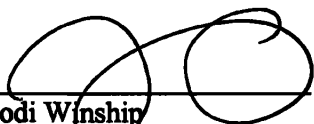
11092672903

DECLARATION OF JODI WINSHIP

1. I am the Acting Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Acting Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Healy for NY:
 - A) Prior Notice, dated November 8, 2010, referencing the 2010 General Election Report (sent via electronic mail to: TIMOTHYJHEALY@YAHOO.COM);
 - B) Reason-to-Believe Letter, dated February 7, 2011, referencing the 2010 30 Day Post-General Report.

I hereby certify that I have searched the Commission's public records and find that Healy for NY filed the 2010 30 Day Post-General Report with the Commission on February 25, 2011.

3. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 15th day of March, 2011.



Jodi Winship
Acting Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

November 8, 2010

**** REMINDER ****

All principal campaign committees of congressional candidates (including unopposed candidates and candidates whose names did not appear on the ballot) who sought election in the 2010 General Election must file a Post-General Election Report.

NOTE: In election years, the reporting period for the Post-General Election Report spans two election cycles. For this report only, committees should not use the normal Detailed Summary Page. Instead, committees should use the Post-Election Detail Summary Page (FEC Form 3, pages 5-8).

Reports sent by Registered or Certified Mail must be postmarked by the mailing deadline (December 2, 2010). If using Overnight Mail, the delivery service must receive the report by the mailing deadline (December 2, 2010). Otherwise, the report must be received by the filing deadline (December 2, 2010).

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2011 MAY -5 P 4:45

SENSITIVE

May 6, 2011

MEMORANDUM

To: The Commission

Through: *[Signature]* Alec Palmer
Acting Staff Director

From: Patricia Carmona *PC*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2291 – Healy for NY and
Julian H. Gingold, in his official capacity as Treasurer (C00483289)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

11092672906



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 6, 2011

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2291 – Healy for NY and Julian H. Gingold, in his official capacity as Treasurer
(C00483289)

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$550 civil money penalty.

Reason-to-Believe Background

On February 2, 2011, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2010 30 Day Post-General Report and made a preliminary determination that the civil money penalty was \$2,970 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter, dated February 7, 2011, was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") requires that post-general reports must be filed by the treasurer of a principal campaign committee no later than the 30th day after any general election in which the candidate has sought election and shall be complete as of the 20th day after the general election. 2 U.S.C. § 434(a)(2)(A)(ii) and 11 C.F.R. § 104.5(a)(2)(ii). Political committees required to file reports with the Commission must file in an electronic format if they have received contributions or made expenditures or expect to receive contributions or make expenditures in a calendar year aggregating in excess of \$50,000. 2 U.S.C. § 434(a)(11) and 11 C.F.R. § 104.18(a). Reports filed electronically must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on December 2 to be timely filed. 11 C.F.R. § 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On March 14, 2011, the Commission received the written response affidavit ("challenge") from the Treasurer requesting that the penalty be waived, as they made a good faith attempt to file the report timely. The Treasurer states that on November 26, prior to the report's December 2 deadline, the Committee electronically filed what was supposed to be the 30 Day Post-General Report, which passed validation. A review showed that the report filed was for the period of April 1 through June 30, 2010 and the report's totals were a combination of the activity from these coverage dates and that of the 30 Day Post-General Report. The Treasurer states that he is unsure how the amounts were combined and around February 25, with the help

of a Commission Information Technology representative, the Committee re-filed all of its reports from April 1, 2010 to its final report to ensure accurate accounting of all funds. The Treasurer further states that the total amount of contributions raised during the 30 Day Post-General reporting period was \$2,500, and based on this, calculates the fine to be \$450. In the event that the Commission deems the November 26 filing insufficient or is unwilling or unable to waive the penalty, he requests that the penalty not exceed \$450.

Analysis

Commission records indicate that on November 1, 2010, the respondents filed a paper copy of the 2010 July Quarterly Report, covering the period from April 1 through June 30, 2010. The respondents, having exceeded the mandatory electronic filing threshold, were notified by November 9, 2010 letters from RAD, of their requirement to electronically file the July Quarterly Report and the subsequent October Quarterly Report and the report covering the period from October 1 through October 14. On November 22, Steve Drechsler called the Compliance Analyst regarding the November 9 letters, indicating that he was working on the reports and would file them as soon as possible. Commission records show that Mr. Drechsler requested and received an electronic filing password on November 24.

The Treasurer states that the respondents filed a July Quarterly Report with combined totals for the July Quarterly and 30 Day Post-General Report on November 26. Commission records reflect that the respondents did file a July Quarterly Report covering the period from April 1 through June 30, 2010, on November 26; however, this report discloses only activity that occurred between these April 1 and June 30 coverage dates and does not include activity that occurred during the October 15 through November 22, 2010 30 Day Post-General reporting period. Further, with \$2,500 in total contributions received, \$65 in other receipts and \$9,327 in total disbursements, the report discloses virtually the same activity disclosed on the respondents' paper copy of the July Quarterly Report filed November 1, with the exception of total loans disclosed. The November 1 paper copy of the July Quarterly Report disclosed \$109,800 in total loans, while the electronic July Quarterly Report filed on November 26, 2010, disclosed \$108,300 in total loans. Given this, and the conversation with the Compliance Analyst just four days before, it appears the respondents electronically filed the July Quarterly Report on November 26 in response to the November 9 letter requiring them to do so.

Since the respondents electronically filed the July Quarterly Report on November 26, rather than the 30 Day Post-General Report, on December 3, 2010, the day after the report was due, the Electronic Filing Office ("EFO") sent a non-filer email notification to "tjhealy@nyc.rr.com" alerting them that they did not file the 30 Day Post-General Report.

The 30 Day Post-General Report covering October 15 through November 22 was filed on February 25, 2011, 85 days late. The challenge asserts that the total amount of contributions for this period was \$2,500 and the penalty, based on this level of activity, would be \$450. There are, however, four criteria used to calculate the amount of the civil money penalty. 11 C.F.R. § 111.43. They are: the election sensitivity of a report, the number of prior violations, the number of days late, and the level of activity on the late report.

The 30 Day Post-General Report is not an election sensitive report and the respondents have no prior violations. Because the respondents did not file the report before the RTB finding,

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an estimated level of activity (\$66,172) was used to calculate the fine. 11 C.F.R. § 111.43(d)(2)(i). Since the report was filed 85 days after the deadline, it is considered not filed for purposes of the civil money penalty calculation. 11 C.F.R. § 111.43(e)(1). For purposes of Administrative Fine penalty calculations, the level of activity for an authorized committee is defined as the total amount of receipts and disbursements for the period covered by the report. 11 C.F.R. § 111.43(d)(3)(i). Their report discloses \$8,214 in receipts and \$10,809 in disbursements for the 30 Day Post-General reporting period, resulting in an actual level of activity of \$19,023. Therefore, using the schedule of penalties at 11 C.F.R. § 111.43(a) and the level of activity bracket of \$10,000 - \$24,999.99, the civil money penalty is $\$550 \times [1 + (.25 \times 0)]$ or \$550, reduced from the RTB civil money penalty of \$2,970.

Whereas the respondents contend that their 30 Day Post-General Report disclosed \$2,500 in contributions for the period, it appears that they were again referencing activity from the July Quarterly Report, which discloses \$2,500 in total contributions on both the November 1 paper copy and the July Quarterly Report electronically filed on November 26. The 30 Day Post-General Report discloses \$8,214 in total contributions.

Failure to use filing software properly is included at 11 C.F.R. § 111.35(d) as an example of a circumstance that is not considered reasonably unforeseen and beyond the respondents' control. Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. The other issues raised in the challenge (the refiling of all reports to ensure accurate accounting of funds; the amount Candidate loans as compared to the total amount of contributions excluding Candidate loans; and the fact that this is the respondents' first violation), also do not fall within the list of valid grounds at 11 C.F.R. § 111.35(b). Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$550.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2291 involving Healy for NY and Julian H. Gingold, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2291 that Healy for NY and Julian H. Gingold in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the 30 Day Post-General Report (\$19,023), assess a civil money penalty of \$550 (reduced from the RTB civil money penalty of \$2,970); and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 –

Attachment 3 – Declaration from RAD

Attachment 4 – Declaration from OAR

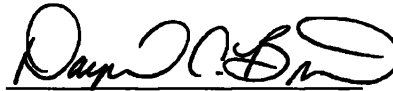
DECLARATION OF DAYNA C. BROWN

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2010 30 Day Post-General Report is due December 2, 2010. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on December 2, 2010 to be timely filed.
3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of:
 - a) Page 1 of the Summary Page, Pages 3 and 4 of the Detailed Summary Page, and the Envelope Replacement Page for the paper report for Healy for NY and Julian H. Gingold, in his official capacity as Treasurer. According to the Commission's records, the paper report covers the period from April 1, 2010 through June 30, 2010, was sent via Federal Express on October 30, and was received on November 1, 2010. Line 11(e) lists \$2,500 in total contributions for the period. Line 13 lists \$109,800 in total loans for the period. Line 15 lists \$65 in total loans for the period. Line 16 lists \$112,365 in total receipts for the period. Line 22 lists \$9,327 in total disbursements for the period; and
 - b) A letter dated November 9, 2010 sent by the Commission's Reports Analysis Division to Healy for NY and Julian H. Gingold, in his official capacity as Treasurer. According to the Commission's records, the letter references the July Quarterly Report covering April 1 through June 30, 2010, and the requirement to file the report electronically; and
 - c) A letter dated November 9, 2010 sent by the Commission's Reports Analysis Division to Healy for NY and Julian H. Gingold, in his official capacity as Treasurer. According to the Commission's records, the letter references the October Quarterly Report covering July 1 through September 30, 2010, and the requirement to file the report electronically; and
 - d) A letter dated November 9, 2010 sent by the Commission's Reports Analysis Division to Healy for NY and Julian H. Gingold, in his official capacity as Treasurer. According to the Commission's records, the letter references the Year End Report covering October 1 through October 14, 2010, and the requirement to file the report electronically; and
 - e) The 2010 July Quarterly Report electronically filed by Healy for NY and Julian H. Gingold, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2010, and was received on November 26, 2010. Line 11(e) lists \$2,500 in total contributions for the period. Line 13 lists \$108,300 in total loans for the period. Line 15 lists \$65 in total loans for the period. Line 16 lists \$110,865 in total receipts for the period. Line 22 lists \$9,327 in total disbursements for the period. Each transaction on the report occurs between the April 1 and June 30 coverage dates; and
 - f) Page 1 of the Summary Page and Pages 3 through 6 of the Post-Election Detailed Summary Page for the 2010 30 Day Post-General Report filed electronically by Healy for NY and Julian H. Gingold, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from

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October 15 through November 22, 2010, and was received on February 25, 2011.
Line 16, Column A lists \$8,214 in total receipts for the period. Line 22, Column
A lists \$10,809 in total disbursements for the period.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
and correct and that this declaration was executed at Washington on the 6th day of May,
2011.



Dayna C. Brown
Reviewing Officer
Office of Administrative Review
Federal Election Commission

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10030481751

FEC
FORM 3

**REPORT OF RECEIPTS
AND DISBURSEMENTS**
For An Authorized Committee

RECEIVED

2010 NOV -1 AM 10:34
FEC MAIL CENTER

Office Use Only

1. NAME OF
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type
over the lines.

12FE4M5

Healy For NY

ADDRESS (number and street)

11200 Fifth Ave

Check if different
than previously
reported. (ACC)

New York

NY

10029-0026

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

STATE ▼ DISTRICT

C00483289

3. IS THIS
REPORT

X

NEW
(N)

OR

AMENDED
(A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

X

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Concession (12C)

Special (12S)

Election on

11 02 2010

in the
State of

NY

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period

04 01 2010

through

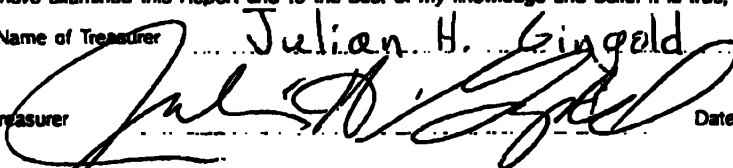
06 30 2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Julian H. Gingold

Signature of Treasurer



Date

10 30 2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only

FEC FORM 3
(Revised 02/2003)

FESAN018

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3 (Revised 12/2003)

Page 3

Write or Type Committee Name:

Party For NY

Report Covering the Period: From:

04 01 2010

To:

06 30 2010

I. RECEIPTS

COLUMN A
Total This Period

COLUMN B
Election Cycle-to-Date

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than
Political Committees

(i) Itemized (use Schedule A).....

240000

240000

(ii) Unitemized.....

10000

10000

(iii) TOTAL of contributions
from individuals ▶

000

000

(b) Political Party Committees.....

000

000

(c) Other Political Committees
(such as PACs).....

000

000

(d) The Candidate.....

000

000

(e) TOTAL CONTRIBUTIONS

(other than loans)

(add Lines 11(a)(i), (b), (c), and (d))..

250000

250000

12. TRANSFERS FROM OTHER

AUTHORIZED COMMITTEES

000

000

13. LOANS:

(a) Made or Guaranteed by the
Candidate.....

109,800.00

109,800.00

(b) All Other Loans.....

(c) TOTAL LOANS

(add Lines 13(a) and (b)).....

109800.00

109800.00

14. OFFSETS TO OPERATING

EXPENDITURES

(Refunds, Rebates, etc.)

000

000

15. OTHER RECEIPTS

(Dividends, Interest, etc.)

6500

6500

16. TOTAL RECEIPTS (add Lines

11(e), 12, 13(c), 14, and 15)

(Carry Total to Line 24, page 4)..... ▶

11236500

11236500

11092672913
10030481753

DETAILED SUMMARY PAGE of Disbursements

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	2,827.00	2,827.00
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	6,500.00	6,500.00
(b) Of All Other Loans		
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	6,500.00	6,500.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	9,327.00	9,327.00

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	0.00
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	112,365.00
25. SUBTOTAL (add Line 23 and Line 24).....	112,365.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	9,327.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	103,038.00

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10030481754

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input checked="" type="checkbox"/> Overnight Delivery Service (Specify): <i>FedEx</i>	Shipping Date <i>11/30/10</i>
Next Business Day Delivery <input type="checkbox"/>	
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
<i>Jmp</i> PREPARER	<i>11/14/10</i> DATE PREPARED

(3/2005)

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10030481761

MS-P

November 9, 2010

JULIAN H. GINGOLD, TREASURER
HEALY FOR NY
1200 FIFTH AVENUE
NEW YORK, NY 10029

IDENTIFICATION NUMBER: C00483289

REFERENCE: JULY QUARTERLY REPORT (04/01/2010 - 06/30/2010)

Dear Treasurer:

Your Committee has failed to file the above-referenced report in an electronic format. In accordance with 11 CFR § 104.18, you are required to file this report electronically. 11 CFR § 104.18 further states that reports filed on paper do not satisfy a political committee's filing obligation. Your reporting obligation will not be satisfied until you file the above-referenced report in an electronic format. You should also review 11 CFR § 104.18 for more information regarding your future reporting obligations.

It is important that you file this report in an electronic format immediately with the Federal Election Commission. The failure to timely file this report may result in civil money penalties, an audit or legal enforcement action. The civil money calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have any further questions, please contact Ian Wandner on our toll-free number, (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or his local number, (202) 694-1176.

Sincerely,



Nataliya Ioffe
Chief, Compliance Branch
Reports Analysis Division

MS-P

November 9, 2010

JULIAN H. GINGOLD, TREASURER
HEALY FOR NY
1200 FIFTH AVENUE
NEW YORK, NY 10029

IDENTIFICATION NUMBER: C00483289

REFERENCE: OCTOBER QUARTERLY REPORT (07/01/2010 - 09/30/2010)

Dear Treasurer:

Your Committee has failed to file the above-referenced report in an electronic format. In accordance with 11 CFR § 104.18, you are required to file this report electronically. 11 CFR § 104.18 further states that reports filed on paper do not satisfy a political committee's filing obligation. Your reporting obligation will not be satisfied until you file the above-referenced report in an electronic format. You should also review 11 CFR § 104.18 for more information regarding your future reporting obligations.

It is important that you file this report in an electronic format immediately with the Federal Election Commission. The failure to timely file this report may result in civil money penalties, an audit or legal enforcement action. The civil money calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have any further questions, please contact Ian Wandner on our toll-free number, (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or his local number, (202) 694-1176.

Sincerely,



Nataliya Ioffe
Chief, Compliance Branch
Reports Analysis Division

11092672917



FEDERAL ELECTION COMMISSION

MS-P

November 9, 2010

JULIAN H. GINGOLD, TREASURER
HEALY FOR NY
1200 FIFTH AVENUE
NEW YORK, NY 10029

IDENTIFICATION NUMBER: C00483289

REFERENCE: YEAR END REPORT (10/01/2010 - 10/14/2010)

Dear Treasurer:

Your Committee has failed to file the above-referenced report in an electronic format. In accordance with 11 CFR § 104.18, you are required to file this report electronically. 11 CFR § 104.18 further states that reports filed on paper do not satisfy a political committee's filing obligation. Your reporting obligation will not be satisfied until you file the above-referenced report in an electronic format. You should also review 11 CFR § 104.18 for more information regarding your future reporting obligations.

It is important that you file this report in an electronic format immediately with the Federal Election Commission. The failure to timely file this report may result in civil money penalties, an audit or legal enforcement action. The civil money calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have any further questions, please contact Ian Wandner on our toll-free number, (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or his local number, (202) 694-1176.

Sincerely,

A handwritten signature in black ink, appearing to read "Nataliya Ioffe".

Nataliya Ioffe
Chief, Compliance Branch
Reports Analysis Division

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)USE FEC MAILING LABEL
OR TYPE OR PRINT ▼Example: If typing, type
over the lines

Healy For NY

ADDRESS (number and street)

1200 Fifth Avenue

Check if different
than previously
reported. (ACC)

8C

New York

NY

10029

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

STATE ▼ DISTRICT

C00483289

3. IS THIS
REPORT

x

NEW
(N)

OR

AMENDED
(A)

NY

14

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

X July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period

04

01

2010

through

06

30

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Julian H. Gingold

Signature of Treasurer

Electronically Filed by Julian H. Gingold

Date

11

25

2010

NOTE : Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

FE5AN018

11092672919

SUMMARY PAGE

of Receipts and Disbursements

2 / 16

FEC Form 3 (Revised 02/2003)

Write or Type Committee Name

Healy For NY

Report Covering the Period: From: M M D D Y Y Y Y To: M M D D Y Y Y Y
 0 4 0 1 2 0 1 0 0 6 3 0 2 0 1 0

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e)).....	2500.00	2500.00
(b) Total Contribution Refunds (from Line 20(d)).....	0.00	0.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a)).....	2500.00	2500.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17).....	9327.00	9327.00
(b) Total Offsets to Operating Expenditures (from Line 14).....	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)).....	9327.00	9327.00
8. Cash on Hand at Close of Reporting Period (from Line 27).....	101538.00	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	108300.00	

For further information contact:

Federal Election Commission
 999 E Street, NW
 Washington, DC 20463
 Toll Free 800-424-9530
 Local 202-694-1100

DETAILED SUMMARY PAGE

of Receipts

FEC Form 3 (Revised 12/2003)

3 / 16

Write or Type Committee Name

Healy For NY

Report Covering the Period: From: M M D D Y Y Y Y To: M M D D Y Y Y Y
 0 4 0 1 2 0 1 0 0 6 3 0 2 0 1 0

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	100.00	100.00
(ii) Unitemized.....	2400.00	2400.00
(iii) TOTAL of contributions from individuals..... ▶	2500.00	2500.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACS).....	0.00	0.00
(d) The Candidate.....	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))	2500.00	2500.00
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
13. LOANS		
(a) Made or Guaranteed by the Candidate.....	108300.00	108300.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	108300.00	108300.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....	0.00	0.00
15. OTHER RECEIPTS (Dividends, Interest, etc.).....	65.00	65.00
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)..... ▶	110865.00	110865.00

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3 (Revised 02/2003)

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II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	9327.00	9327.00
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) >	9327.00	9327.00

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	0.00
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	110865.00
25. SUBTOTAL (add Line 23 and Line 24).....	110865.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	9327.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	101538.00

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

 FOR LINE NUMBER: PAGE 5 / 16
 (check only one)
☒ 11a ☐ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Healy For NY

A.

Full Name (Last, First, Middle Initial)

Timothy Jefferson Healy

Mailing Address 1200 Fifth Avenue
8CCity State Zip Code
New York NY 10029FEC ID number of contributing
federal political committee. C H0NY14221Name of Employer
Healy Group LLCOccupation
Investment CounselReceipt For: 2010
Primary General

Election Cycle-to-Date ▼

X Other (specify) ▼
Convention

108400.00

Date of Receipt

M M . D D . Y Y Y Y
06 01 2010

Transaction ID: SA11AI.4122

Amount of Each Receipt this Period

100.00

Personal Contribution

SUBTOTAL of Receipts This Page (optional) ►

100.00

TOTAL This Period (last page this line number only) ►

100.00

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 6 / 16

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input checked="" type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14
<input type="checkbox"/> 15			

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NAME OF COMMITTEE (In Full)

Healy For NY

A.

Full Name (Last, First, Middle Initial)

Timothy Jefferson Healy

Mailing Address 1200 Fifth Avenue

8C

City

New York

State

NY

Zip Code

10029

FEC ID number of contributing
federal political committee.

C H0NY14221

Name of Employer

Healy Group LLC

Occupation

Investment Counsel

Receipt For:

2010

Primary

General

X Other (specify) ▼
Convention

Election Cycle-to-Date ▼

5000.00

Date of Receipt

M	M	D	D	Y	Y	Y	Y
0	5	1	1	2	0	1	0

Transaction ID: SA13A.4114

Amount of Each Receipt this Period

5000.00

Timothy Healy

B.

Full Name (Last, First, Middle Initial)

Timothy Jefferson Healy

Mailing Address 1200 Fifth Avenue

8C

City

New York

State

NY

Zip Code

10029

FEC ID number of contributing
federal political committee.

C H0NY14221

Name of Employer

Healy Group LLC

Occupation

Investment Counsel

Receipt For:

2010

Primary

General

X Other (specify) ▼
Convention

Election Cycle-to-Date ▼

8300.00

Date of Receipt

M	M	D	D	Y	Y	Y	Y
0	5	2	4	2	0	1	0

Transaction ID: SA13A.4116

Amount of Each Receipt this Period

3300.00

Timothy Healy

C.

Full Name (Last, First, Middle Initial)

Timothy Jefferson Healy

Mailing Address 1200 Fifth Avenue

8C

City

New York

State

NY

Zip Code

10029

FEC ID number of contributing
federal political committee.

C H0NY14221

Name of Employer

Healy Group LLC

Occupation

Investment Counsel

Receipt For:

2010

Primary

General

X Other (specify) ▼
Convention

Election Cycle-to-Date ▼

108300.00

Date of Receipt

M	M	D	D	Y	Y	Y	Y
0	5	2	4	2	0	1	0

Transaction ID: SA13A.4117

Amount of Each Receipt this Period

100000.00

Timothy Healy

SUBTOTAL of Receipts This Page (optional) ▶

108300.00

TOTAL This Period (last page this line number only) ▶

108300.00

A. Form/Schedule : **SA13A**
Transaction ID : **SA13A.4114**

(Current loan balance of 5000.00 has been forgiven)(A previous settlement of 5000.00 has been rescinded)(Current loan balance of 5000.00 has been forgiven)(A previous settlement of 5000.00 has been rescinded)

11092672925

B. Form/Schedule : **SA13A**
Transaction ID : **SA13A.4116**

(Current loan balance of 3300.00 has been forgiven)(A previous settlement of 3300.00 has been rescinded)(Current loan balance of 3300.00 has been forgiven)(A previous settlement of 3300.00 has been rescinded)(Current loan balance of 3300.00 has been forgiven)(A previous settlement of 3300.00 has been rescinded)

C. Form/Schedule : **SA13A**

Transaction ID : **SA13A.4117**

(Current loan balance of 1905.27 has been forgiven)(A previous settlement of 1905.27 has been rescinded)(Current loan balance of 3532.00 has been forgiven)(A previous settlement of 25000.00 has been rescinded)(Current loan balance of 11005.23 has been forgiven)

11092672926

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary PageFOR LINE NUMBER: **PAGE 9/16**

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input checked="" type="checkbox"/> 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Healy For NY

A.

Full Name (Last, First, Middle Initial)

Timothy Jefferson Healy

Mailing Address 1200 Fifth Avenue

8C

City

New York

State

NY

Zip Code

10029

FEC ID number of contributing
federal political committee.

C H0NY14221

Name of Employer
Healy Group LLC

Occupation

Investment Counsel

Receipt For:

2010

Primary

General

X Other (specify) ▼
Convention

Election Cycle-to-Date ▼

108465.00

Date of Receipt

M	M	D	D	Y	Y	Y	Y
0	6		1	5		2	0

Transaction ID: SA15.4133

Amount of Each Receipt this Period

65.00

Bank Interest

SUBTOTAL of Receipts This Page (optional) ▶

65.00

TOTAL This Period (last page this line number only) ▶

65.00

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**Use separate schedule(s)
for each category of the
Detailed Summary PageFOR LINE NUMBER:
(check only one)

PAGE 10 / 16

<input checked="" type="checkbox"/>	17	<input type="checkbox"/>	18	<input type="checkbox"/>	19a	<input type="checkbox"/>	19b
<input type="checkbox"/>	20a	<input type="checkbox"/>	20b	<input type="checkbox"/>	20c	<input type="checkbox"/>	21

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (In Full)

Healy For NY

A. Dick Foley, doing business as The Prince Group

Full Name (Last, First, Middle Initial)

Transaction ID: SB17.4147

Date of Disbursement

Mailing Address 42 Lake Avenue Ext.
Private Mail Box 31005^M 25^D 2010^YCity
DanburyState
CTZip Code
06811

Amount of Each Disbursement this Period

6500.00

Purpose of Disbursement
Political Consultant, The Prince Group003
Category/
TypeCandidate Name
Healy For NYOffice Sought: ☒ House
Senate
PresidentDisbursement For: 2010
Primary General
☒ Other (specify) ▼
Convention

State: NY District: 14

B. King Strategic Communications

Full Name (Last, First, Middle Initial)

Transaction ID: SB17.4106

Date of Disbursement

Mailing Address 4605 Morse Road
Suite 10105^M 18^D 2010^YCity
GahannaState
OHZip Code
43230

Amount of Each Disbursement this Period

827.00

Purpose of Disbursement
Brochure, payment 1006
Category/
TypeCandidate Name
Healy For NYOffice Sought: ☒ House
Senate
PresidentDisbursement For: 2010
Primary General
☒ Other (specify) ▼
Convention

State: NY District: 14

C. Tuesday Associates

Full Name (Last, First, Middle Initial)

Transaction ID: SB17.4135

Date of Disbursement

Mailing Address 42 Capen Street

06^M 01^D 2010^YCity
StoughtonState
MAZip Code
02072

Amount of Each Disbursement this Period

2000.00

Purpose of Disbursement
Mailing List purchase003
Category/
TypeCandidate Name
Healy For NYOffice Sought: ☒ House
Senate
PresidentDisbursement For: 2010
Primary General
☒ Other (specify) ▼
Convention

State: NY District: 14

SUBTOTAL of Disbursements This Page (optional) ▶

9327.00

TOTAL This Period (last page this line number only) ▶

9327.00

11092672928

SCHEDULE C (FEC Form 3)**LOANS**

PAGE 11 / 16

Use separate schedule(s)
for each category of the
Detailed Summary PageFOR LINE NUMBER:
(check only one)☒ 13a
☐ 13bNAME OF COMMITTEE (In Full)
Healy For NY

Transaction ID: SC/10.4114

LOAN SOURCE Full Name (Last, First, Middle Initial)
Timothy Jefferson Healy - [PERSONAL FUNDS]

Election:

☐ Primary☐ General☒ Other (specify) ▼

Convention

Mailing Address 1200 Fifth Avenue
8C

City New York State NY ZIP Code 10029

Original Amount of Loan

5000.00

Cumulative Payment To Date

0.00

Balance Outstanding at Close of This Period

5000.00

TERMS

Date Incurred

Date Due

Interest Rate

Secured:

M M
05D D
11Y Y
2010

11-07-2010

0.0000

% (apr)

Yes

☒ No

List All Endorsers or Guarantors (if any) to Loan Source

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount
Guaranteed
Outstanding:

SUBTOTALS This Period This Page (optional) ▶

5000.00

TOTALS This Period (last page in this line only) ▶

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

11092672929

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)USE FEC MAILING LABEL
OR TYPE OR PRINTExample: If typing, type
over the lines

Healy for NY

ADDRESS (number and street)

1200 Fifth Avenue, 8C

Check if different
than previously
reported. (ACC)

New York

NY

10029

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

C00483289

3. IS THIS
REPORT

X

NEW
(N)

OR

AMENDED
(A)

STATE DISTRICT

NY

14

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of

(c) 30-Day POST-Election Report for the:

X

General (30G)

Runoff (30R)

Special (30S)

Election on

11

02

2010

in the
State of

NY

5. Covering Period

10

15

2010

through

11

22

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Mr. Gingold H. Julian

Signature of Treasurer

Electronically Filed by Mr. Gingold H. Julian

Date

02

25

2011

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

FESAN018

11092672930

POST-ELECTION DETAILED SUMMARY PAGE

FEC Form 3 (Revised 07/05)

Report of Receipts and Disbursements

3 / 16

. If the candidate participated in the general election, use this form for the 30-day Post-General report.

. If the candidate did NOT participate in the general election, use this form for the Year-end report covering through December 31 of the election year (due on January 31).

This form is used in lieu of filling out Line Numbers 6 through 7 on Page 2 (Summary Page) and Pages 3 and 4 (the Detailed Summary Page) for the last report filed by a candidate during the current election cycle.

Write or Type Committee Name

Healy for NY

Report Covering the Period: From: M M D D Y Y Y Y To: M M D D Y Y Y Y
1 0 1 5 2 0 1 0 1 1 2 2 2 0 1 0

I. RECEIPTS

COLUMN A Total this Period	COLUMN B Election Cycle Total as of M M D D Y Y Y Y 0 6 3 0 2 0 1 0 (date of general election)	COLUMN C Total for M M D D Y Y Y Y 0 7 0 1 2 0 1 0 (date after general election) through M M D D Y Y Y Y 1 1 2 2 2 0 1 0 (last day of reporting period)
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other than Political Committees		
(i) Itemized (Use Schedule A)		
7250.00	2500.00	7250.00
(ii) Unitemized		
964.00	0.00	964.00
(iii) Total of contributions from individuals		
8214.00	2500.00	8214.00
(b) Political Party Committees		
0.00	0.00	0.00
(c) Other Political Committees		
0.00	0.00	0.00

11092672931

**POST-ELECTION DETAILED
SUMMARY PAGE**
Report of Receipts and Disbursements

COLUMN A
Total this Period

COLUMN B
Election Cycle Total as of *
(date of general Election)
(* See page 5 for date)

COLUMN C
Total for * (date after general election)
Through * (last day of reporting period)
(* See page 5 for dates)

(d) The Candidate

0.00

0.00

0.00

(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c) and (d))

8214.00

2500.00

8214.00

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES

0.00

0.00

0.00

13. LOANS:

(a) Made or Guaranteed by the Candidate

0.00

109800.00

250.00

(b). All Other Loans

0.00

0.00

0.00

(c). TOTAL LOANS (add Lines 13(a) and (b))

0.00

109800.00

250.00

14. OFFSETS TO OPERATING EXPENDITURES (refunds, rebates, etc)

0.00

0.00

0.00

15. OTHER RECEIPTS (Dividends, Interest, etc)

0.00

65.00

0.00

16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)

8214.00

112365.00

8464.00

Image# 11930418270

POST ELECTION DETAILED SUMMARY PAGE

FEC Form 3 (Revised 1/01)

Report of Receipts and Disbursements

5 / 16

Write or Type Committee Name

Healy for NY

Report the covering period

From:

M M
1 0D D
1 5Y Y Y Y
2 0 1 0

To:

M M
1 1D D
2 2Y Y Y Y
2 0 1 0

II. DISBURSEMENTS

COLUMN A Total this period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	COLUMN C Total for * Through * (date after general election) (last day of reporting period) (* See page 5 for date)
17. OPERATING EXPENDITURES		
10759.00	2892.00	10812.95
18. TRANSFER TO OTHER AUTHORIZED COMMITTEES		
0.00	0.00	0.00
19. LOAN PAYMENTS		
(a) Of Loans Made or Guaranteed by the Candidate		
0.00	6500.00	75000.00
(b) Of All Other Loans		
0.00	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and 19(b))		
0.00	6500.00	75000.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		
0.00	0.00	2400.00
(b) Political Party Committees		
0.00	0.00	0.00

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11092672933

POST ELECTION DETAILED
SUMMARY PAGE

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FEC Form 3 (Revised 1/01)

Report of Receipts and Disbursements

COLUMN A Total this period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	Total for * Through *	COLUMN C (date after general election) (last day of reporting period) (* See page 5 for date)
(c) Other political committees (such as PACs)			
0.00	0.00		0.00
(d) TOTAL CONTRIBUTION REFUNDS (See Lines 20(a), (b) and (c))			
0.00	0.00		2400.00
21. OTHER DISBURSEMENTS			
50.00	0.00		175.00
22. TOTAL DISBURSEMENTS (add lines 17, 18, 19(c), 20(d), and 21)			
10809.00	9392.00		88387.95

III. NET CONTRIBUTIONS (OTHER THAN LOANS)

(Note: Substitute in lieu of Line #6 of Summary Page for this report only; subtract line 20(d) from Line 11(e))

8214.00	2500.00	5814.00
---------	---------	---------

IV. NET OPERATING EXPENDITURES

(Note: Substitute in lieu of Line #7 of Summary Page for this report only; subtract line 14 from Line 17)

10759.00	2892.00	10812.95
----------	---------	----------

V. CASH SUMMARY

23. CASH ON HAND AT BEGINING OF REPORTING PERIOD	25644.05
24. TOTAL RECEIPTS AT THIS PERIOD (from Line 16).....	8214.00
25. SUBTOTAL(add Line 23 and Line 24)	33858.05
26. TOTAL DISBURSEMENTS AT THIS PERIOD (from Line 22).....	10809.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (Subtract Line 26 from Line 25).....	23049.05



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

May 9, 2011

Julian H. Gingold, in his official capacity as Treasurer
Healy for NY
1200 Fifth Avenue
New York, NY

C00483289
AF# 2291

Dear Mr. Gingold:

On February 2, 2011, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Healy for NY and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2010 30 Day Post-General Report. The Commission also made a preliminary determination that the civil money penalty was \$2,970 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 860-424-9530 (press 0, then press 1660) or 202-694-1668 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dayna C. Brown".

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

Attachment

11092672935



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION COMMISSION
SECRET

2011 MAY 31 P 5:08

May 31, 2011

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *for PC*
Acting Staff Director

From: Patricia Carmona *PC*
Chief Compliance Officer

Dayna C. Brown *for PC*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2291 – Healy for NY and Julian H. Gingold, in his official capacity as Treasurer (C00483289)

On February 2, 2011, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2010 30 Day Post-General Report and also made a preliminary determination that the civil money penalty was \$2,970 based on the schedule of penalties at 11 C.F.R. § 111.43.

On February 25, 2011, the respondents filed the 30 Day Post-General Report, and disclosed \$8,214 in total receipts and \$10,809 in total disbursements. Had the report been filed disclosing this level of activity (\$19,023) prior to the Commission's RTB finding, the civil money penalty would have been \$550 based on the schedule of penalties at 11 C.F.R. § 111.43.

On March 14, 2011, the Commission received the respondents' written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated May 6, 2011 was forwarded to the Commission, a copy was sent to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and based on the actual level of activity for the 30 Day Post-General reporting period (\$19,023), assess a civil money penalty of \$550 because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in

11092672936

their challenge or not directly responsive to the Reviewing Officer's recommendation.
11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2291 involving Healy for NY and Julian H. Gingold, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2291 that Healy for NY and Julian H. Gingold in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the 30 Day Post-General Report (\$19,023), assess a civil money penalty of \$550 (reduced from the RTB civil money penalty of \$2,970); and
- (3) Send the appropriate letter.

11092672937

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation in) AF 2291
Healy for NY and Julian H. Gingold, in)
his official capacity as Treasurer)
(C00483289))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 10, 2011, the Commission decided by a vote of 6-0 to take the following actions AF 2291:

1. Adopt the Reviewing Officer recommendation for AF# 2291 involving Healy for NY and Julian H. Gingold, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2291 that Healy for NY and Julian H. Gingold, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the 30 Day Post-General Report (\$19,023), assess a civil money penalty of \$550 (reduced from the RTB civil money penalty of \$2,970).
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 10, 2011
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

11092672938



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 15, 2011

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Julian H. Gingold, in his official capacity as Treasurer
Healy for NY
1200 Fifth Avenue
New York, NY 10029

C00483289
AF# 2291

Dear Mr. Gingold:

On February 2, 2011, the Federal Election Commission ("the Commission" found reason to believe that Healy for NY and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2010 30 Day Post-General Report. By letter dated February 7, 2011, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$2,970 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On March 14, 2011, the Office of Administrative Review received the written response from you challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated using an estimated level of activity, make a final determination that Healy for NY and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the 30 Day Post-General Report filed February 25, 2011 (\$19,023), assess a civil money penalty in the amount of \$550 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on May 9, 2011.

On June 10, 2011, the Commission adopted the Reviewing Officer's recommendation, made a final determination that Healy for NY and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and based on the level of activity disclosed on the 2010 30 Day Post-General Report (\$19,023), assessed a civil money penalty of \$550 (reduced from the RTB civil money penalty of \$2,970). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the final determination memorandum is attached.

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If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

On behalf of the Commission,


Cynthia L. Bauerly
Chair

Attachment

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$550 for the 2010 30 Day Post-General Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Healy for NY

FEC ID#: C00483289

AF#: 2291

PAYMENT AMOUNT DUE: \$550

**ELECTRONIC CERTIFICATION AGREEMENT FOR
DEBTS SUBMITTED TO THE FINANCIAL MANAGEMENT SERVICE'S
CROSS-SERVICING PROGRAM**

This Agreement is submitted by: Federal Election Commission

Creditor Agency: Federal Election Commission

Date of Agreement: November 23, 2010

The Creditor Agency agrees that:

- I. This Agreement covers all debts, including updates, changes, and modifications (Debts) submitted by Electronic Transmission on or after the date of this Agreement, by the above-named Creditor Agency (Agency) to the Financial Management Service (FMS), a bureau of the U.S. Department of the Treasury, for collection through FMS's Cross-Servicing Program (Cross-Servicing);
- II. The Agency will submit Debts to Cross-Servicing via Electronic Transmission of "Add Records" or "Update Records," as described in the attached Exhibit A. Each time the Agency submits a Debt via an Add Record or Update Record, the Agency is certifying the Debt;
- III. Any person who submits Debts via an Add Record or Update Record has or will have delegated authority to certify the Debts on behalf of the head of the Agency, and the Agency will provide a copy of this Agreement to any such person;
- IV. By submitting Debts via an Add Record or Update Record, the person submitting such Debts is certifying to the U.S. Department of the Treasury, under penalty of perjury pursuant to 5 U.S.C. § 5514, 31 U.S.C. § 3716, 31 U.S.C. § 3720A, and 28 U.S.C. § 1746 that, to the best of his or her knowledge and belief, the following is true and correct:
1. **Valid Debts.** The Debts are delinquent, valid and legally enforceable in the amounts stated. The Agency will properly credit collections (other than TOP collections) to the delinquent debtors' accounts and notify FMS of any change in the amount, validity or legal enforceability of the Debt.
 2. **No Bar to Collection.** The Debts are not subject to any circumstances that legally preclude or bar collection, including collection by offset. There are no foreclosures pending with respect to any collateral securing a Debt. The Agency's records do not show that any debtor owing a Debt has filed for bankruptcy protection. Alternatively, the Agency can clearly establish that any automatic stay has been lifted or is no longer in effect.

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3. ***Administrative Offset and Tax Refund Offset.*** If the Agency has established a profile instructing FMS to refer Debts to the Treasury Offset Program (TOP) on its behalf for the purposes of tax refund and administrative offset, the person submitting such Debts will be certifying to the following:

- a. The Agency has complied with all of the provisions of 31 U.S.C. § 3716, 31 U.S.C. § 3720A, 31 C.F.R. §§ 285.2 and 285.5, and the Federal Claims Collection Standards (31 C.F.R. Parts 900-904), as may be amended, as well as other statutes, regulations and policies applicable to collection by administrative offset and tax refund offset.
- b. At least 60 days prior to the date of the certification (i.e., date of Electronic Transmission), the Agency has provided, or made a reasonable attempt to provide in accordance with applicable offset regulations, each debtor with:
 - i. written notification, at the debtor's most current known address, of the nature and the amount of the Debt, the intention of the Agency to collect the Debt through administrative offset and tax refund offset, including offset of State payments, and an explanation of the rights of the debtor;
 - ii. an opportunity to inspect and copy the records of the Agency with respect to the Debt;
 - iii. an opportunity for review within the Agency of the determination of the Agency with respect to the Debt, including the opportunity to present evidence that all or part of the Debt is not past-due or legally enforceable; and
 - iv. an opportunity to enter into a written repayment agreement with the Agency
- c. The Agency has considered any evidence presented by the debtor and determined that the amount of the Debt is past-due and legally enforceable and there are no pending appeals of such determination.
- d. The Agency has, at minimum, made the following reasonable efforts to obtain payment of the Debt: demanded payment and provided the debtor with the notice and opportunities described in paragraph 3.b.

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- e. For Debts outstanding more than ten years on or before **December 31, 2009**, the notice described in paragraph 3.b. was sent to the debtor after the Debt was outstanding for more than ten years, and that the debtor was afforded the rights described in paragraphs 3.b. – 3.d. at that time. This requirement does not apply to any Debt that could be collected by offset without regard to any time limitation prior to **December 31, 2009** (e.g., student loans debts, judgments).

4. ***Due Process Compliance for Salary Offset.*** With respect to the offset of Federal salaries, if the Agency has authorized FMS to set up an agency profile so that all debts are referred to TOP for offset of federal salary payments:

- a. The Agency has complied with all of the provisions of 5 U.S.C. § 5514, 5 C.F.R. §§ 550.1101-1110, and 31 CFR § 285.7, as may be amended, as well as other statutes, regulations and policies applicable to collection by salary offset.
 - i. The Agency has provided, or made a reasonable attempt to provide, each debtor with the notice, opportunities, and considerations described in paragraphs 3.b., 3.c. and 3.e (if applicable) and the additional notices and opportunities, including the opportunity for waiver consideration and for a hearing, required for salary offset.

5. ***Consumer Reporting Agencies.*** The Agency has complied with all of the provisions of 31 U.S.C. § 3711(e) and the Federal Claims Collection Standards, as well as other statutes, regulations and policies applicable to the Agency's reporting of delinquent debts to consumer reporting agencies. The Agency has:

- a. determined that the debts are valid and overdue;
- b. notified the debtor, more than 60 days prior to the date of the certification:
 - i. that the debt is overdue,
 - ii. that the Agency intends to disclose to a consumer reporting agency that the debtor is responsible for the debt,
 - iii. of the specific information to be disclosed to the consumer reporting agency, and
 - iv. of the debtor's rights to an explanation of the claim, to dispute the information in the Agency's records about the claim, and to

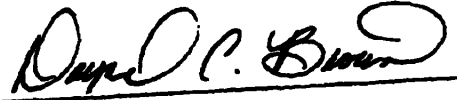
administrative repeal or review of the claim; and

- c. upon the request of a debtor, provided for a review of any debtor's claim, including an opportunity for reconsideration of the initial decision on the claim.

In addition, no debtor has repaid or agreed to repay the claim under a signed repayment agreement or filed for review of the claim.

- d. ***Interest and Penalties.*** The Agency has complied with all of the provisions of 31 U.S.C. § 3717 and the Federal Claims Collection Standards, as well as other statutes, regulations and policies applicable to Agency's assessment of interest, penalties and administrative costs. The Agency has mailed or hand-delivered a written notice to all debtors explaining the Agency's requirements concerning the charges.

CERTIFICATION: Pursuant to 28 U.S.C. § 1746, I certify that I have been delegated authority to execute this Agreement on behalf of the head of my agency.



Dayna C. Brown

Director, Office of Administrative Review



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2291

DATE SCANNED 11/2/11

SCANNER NO. 2

SCAN OPERATOR EEJ

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